

APPROVED MINUTES  
VILLAGE OF EAGLE PLANNING COMMISSION  
November 5, 2013

President Spurrell called the meeting of the Eagle Village Planning Commission to order at 7:00 p.m. The secretary confirmed Open Meeting Law requirements were met. Roll was taken: Present were Spurrell, Scheff, Wilkinson, and Jones. Absent and excused was Steinbach. Also present were Building Inspector Vince Budiak, John Van Zeeland, and Scott and Melissa Dooley.

The pledge was lead by Rich Spurrell.

**Review/Approve Minutes of the August 27, 2013 meeting**

**Motion:** Moved by Wilkinson, seconded by Scheff, to approve the Minutes of August 27, 2013. The motion carried all in favor, 5-0-1, with Block abstaining.

**Public Comment** - None

**Discussion/action – on request of John Van Zeeland of Integrity Home Investment Group. LLC to divide the parcel at 426 E Main St (tax key EGLV 1813973)**

President Spurrell stated that the proposed lot is non-conforming, as are many of the lots on Main St. for this zoning. He gave the Board some history as to how the Smart Growth Plan came to be. Vince Budiak was present, and stated that to make the lots conforming, it was his suggestion a historic residential overlay zoning be created for all of the substandard lots based on which lot is the smallest. That type of zoning district would then make all of the lots conforming. Mr. Van Zeeland mentioned that it appears the smallest lot is 9,895 sq. ft. Mr. Budiak stated that the area would still remain residential and the Village would be staying within the Master Plan, but at the same time it would make all of the existing lots conforming.

Mr. Budiak then suggested in the alternative, the proposed lot of 20,000 sq. ft. could be created, which would be conforming, but the split would need to go to the Board of Appeals for a variance, as the other lot created would be 15,800 sq. ft., and therefore, non-conforming.

President Spurrell stated that while he likes Mr. Van Zeeland's plan, and his ambition with this project, he is not in favor of creating another non-conforming lot.

Mr. Van Zeeland gave the Board some background on this project. He stated that the current house is going to be made very modern inside, there will be some structural improvement. People in the area are excited about the upgrade to this property. As for the second proposed home, the drive for that home would come in off Parkview, as a drive currently exists there. He would like to maintain the existing garage, if possible. The structure to be built there would have a two car detached garage, and a two car attached garage. If it is not feasible, he will tear the garage down, but is hopeful it can be saved. It is also the plan to put some trees in for privacy for that property.

Discussion ensued as to the timeline if a new historical residential overlay district would be created. With publication, certified letters, posting, etc., it could be several months before the district would be created. That matter would need to be discussed and approved at the Village Board level, with the soonest the Board hearing the issue being the November meeting.

President Spurrell asked if Mr. Van Zeeland would be willing to phase in the second house, as timing of creation of the new zoning overlay district could cause some problems. Mr. Van Zeeland would like to do both projects together, but understands that may not work. President Spurrell pointed out that if a historical re-zoning is done, Mr. Van Zeeland could hold off on the split of the lot, as that would take care of the non-conforming lot creation, otherwise the Board of Appeals would have to meet on the matter, and if denied, the split would not be done.

**Motion:** Moved by Wilkinson, seconded by Spurrell, to deny the request of John Van Zeeland of Integrity Home Investment Group, LLC to divide the parcel at 526 E. Main St., tax key EGLV 1813973. The motion carried unanimously.

President Spurrell stated he will have the historical residential overlay district on the Board agenda for discussion in November.

**Discussion/action - on site plan, business plan and plan of operation for Coyote Canyon and Knuckleheads for the placement and installation of hitching posts**

Vince Budiac stated that he has done research, and there is not an ordinance that prohibits horses in the Village, except those which board overnight. There is another establishment in the Village which has hitching posts, and that property is legal, non-conforming.

This is a different application for the bar/restaurant in question. This is an additional use, and as there was no previous plan of operation on file, the Dooleys were asked to provide one. People are currently utilizing the trail system, have a meal at the restaurant, and then go back to the trail. Mr. Budiac stated he felt the business owner, who charges for the tour, might be required to provide a business plan for this use. There was an anonymous complaint received by the Village office about a horse trailer used by the business being parked in the Village.

Mrs. Dooley, present in the audience, stated that the trailer is to be parked at a parking lot off the trail in the future. She also stated that other people involved with the horse association are excited about the tours. Basically, people will take a horse ride, and at the half way point (in Eagle), they will hitch their horse and have lunch at their establishment, and then ride back.

Discussion ensued as to the installation of five posts, with an inspection of the same. A designated waste can will also be made available. Mr. Dooley stated that they have checked with their insurance company, and there is ample coverage should something happen. If a business plan is required, contact information would be provided for the Village should an incident occur.

**Motion:** Moved by Scheff, to recommend approval of the installation of five posts and designated waste can, as well as a requirement the horse tour business provide a business plan. After further discussion, President Spurrell stated it was his opinion that the business aspect of the tour company relates directly to the bar/restaurant establishment, and the Village would not need to require a plan of operation. He also stated that it would be the responsibility of the Dooleys should any incidents occur. At this point, Scheff withdrew the previous motion, and amended it to not include the horse business owner's requirement for a

business plan, plan of operation filing with the Village. Seconded by Block. The motion carried unanimously.

**Adjournment**

**Motion:** Moved by Jones, seconded by Deegan to adjourn. President Spurrell adjourned the meeting at 7:35 p.m. The motion carried unanimously.

Respectfully submitted,  
Jeanne O'Brien  
Planning Commission Secretary